

**MINUTES OF A REGULAR MEETING
OF THE CHULA VISTA SAFETY COMMISSION**

**May 8, 2008
6:00 p.m.**

**Community Room
Chula Vista Police Department Headquarters**

CALL TO ORDER

Meeting called to order at 6:00 p.m.

1. Roll Call:

Present: Chair Liken; Commissioners Cochrane, Caudillo, Navarro, and Perrett

Absent: Commissioner Rosario

Also present: Frank Rivera, Principal Civil Engineer; Jim Newton, Senior Civil Engineer; Officer Shon Thurman; and Florence Picardal, Recording Secretary

2. Pledge of Allegiance/Silent Prayer

3. Opening Statement

Opening statement read by Chair Liken.

4. Approval of Minutes

- a. The minutes for the November 8, 2007 meeting could not be approved by vote due to lack of quorum, but were accepted into record as submitted.
- b. **MSC (Cochrane/Perrett)** to approve minutes of March 13, 2008 as submitted. (6-0-1, Rosario absent)

5. Safety Commission Attendance Report

Attendance report was accepted into record. Chair Liken stated that Commissioner Rosario has submitted a letter of resignation. He regretfully accepted the letter and directed staff to notify the City Clerk to post the vacancy.

MSC (Liken/Moriarty) to excuse this meeting's absence of Commissioner Rosario. (6-0-1, Rosario absent)

6. Oral Communications

None.

MEETING AGENDA

7. Recognition of Service for Commissioner Jose Lopez

Principal Civil Engineer Rivera presented a plaque to Commissioner Lopez for his 8+ years of service on the Safety Commission.

Item 9 was taken out of order due to the large number of public speakers for the item.

9. Report on Speed Limit Revision for Hidden Vista Drive between East H Street and Terra Nova Drive

Staff learned from the Police Dept. that speeding tickets issued for this location were being dismissed from court because the support document (speed survey) was inadequate for this location. At this time, the police cannot enforce the speed limit along this segment. Staff completed an Engineering and Traffic survey for a segment of Hidden Vista Drive in accordance with the California Vehicle Code which

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mandates that a speed survey be completed and updated every seven years for each street with a posted speed limit within the City. Based on the results of this speed survey, staff has determined that the speed limit on Hidden Vista Drive between East H Street and Smoky Circle should be increased from 25 mph to 30 mph. Staff also determined that the speed limit on Hidden Vista Drive between Smoky Circle and Terra Nova Drive should retain its existing 25 mph speed limit.

Staff Recommendation: Concur with staff and recommend the Chula Vista City Council increase the existing speed limit on Hidden Vista Drive between East H Street and Smoky Circle from 25 mph to 30 mph, and that Schedule X of the register maintained in the office of the City Engineer be revised to include this revised speed limit.

Public hearing opened.

The following persons spoke in favor of staff's recommendation:

1. Gena Franco, 453 Smoky Circle - favors stop sign at Smoky Circle/Hidden Vista
2. Troy Schalge, 403 Windrose Way
3. Florante Dulay, 386 Windjammer Circle
4. Jeremy Dendle, 525 Padera Way - favors stop sign at Smoky Circle/Hidden Vista

The following persons spoke in opposition of staff's recommendation:

1. Lillie Hebert, 473 Hidden Vista Drive - favors stop signs
2. Louis Pierotti, 488 Smokey Circle - favors stop sign at Smoky Circle/Hidden Vista
3. Jim Platel, 455 Lawn View - favors stop signs
4. George Rochelle, 351 Windjammer Circle - favors stop signs

Public hearing closed.

Commission Discussion: Chair Liken asked if the date of June 12, 2006 for the speed survey for Hidden Vista (Smoky Circle to Terra Nova Drive) was correct. Also, have the conditions and vehicle movements changed substantially since that date? Sr. Civil Engineer Newton responded the date was correct. Principal Civil Engineer Rivera stated the Vehicle Code allows the use of speed surveys up to 7 years old. This speed survey is valid for 7 years (2013). There hasn't been any additional development in the area since 2006. The volumes are relatively the same and the accident rate is one-fourth the statewide average for a similar roadway. There are concerns with the horizontal design speed of 25 mph and the sharpness of the curve near Windrose. Senior Civil Engineer Newton consulted with the Police Department and the citations going to court are not in the northern section, but closer to H Street.

Chair Liken asked if the lower half has a current speed survey and is that being challenged by the courts. Senior Civil Engineer Newton responded yes. Commissioner Moriarty asked for an explanation of how the two speed limits would be enforced. Sr. Civil Engineer Newton explained speed signs for both would be posted at the beginning and end of each segment so that it is clear where each segment stops and starts.

The Vehicle Code allows for up to a 10 mph change in speed limits along a roadway. Principal Civil Engineer Rivera explained the two distinct roadway characteristics. The steep portion from East H to Smokey Circle has no direct driveways. As you pass Smokey Circle, there are driveways again and the roadway is 42 ft. in width up the hill towards Terra Nova. Down towards the bottom of the hill, the road starts at 42 ft. then widens to 68 ft., is more than two lanes and is very easy to drive at different speeds. A similar situation is on East H St. towards Southwestern College.

Commissioner Moriarty asked if the speed limit is not changed, will the Police Department not be able to enforce it. Officer Thurman explained they cannot enforce the speed limit as it is currently posted. It is considered a classic speed trap. All tickets that have been issued and gone to court have been dismissed because the speed survey did not hold up.

Commissioner Cochrane stated that this problem is identical to one 13 yrs ago on East J St. - speed limit change from 25-35 mph because of the design of the street. This location had the same problems with the cases being thrown out of court. He was amiable to some of the suggestions made by residents for

stop signs. He stated if the speed limit is not increased, the safety problem would not be resolved because tickets cannot be issued.

Chair Liken stated the majority of tonight's public testimony was in favor of an all-way stop along with the revision of the speed limit. He questioned staff as to what would be the best course of action -- make a recommendation this evening or a continuance.

Senior Civil Engineer Newton responded that the approval of the speed limit revision would still need to go to Council for approval. The process takes at least a month, possibly 6-8 weeks. If the Commission would like to pursue an all-way stop, that could be referred to staff for a future Safety Commission item. Staff preference would be for the speed limit item to go forward and an all way stop request be scheduled for a future meeting. Staff's recommendation for the speed limit revision would not change even if an all way stop was installed. Primary focus was to have the Police back on the street doing enforcement. Principal Civil Engineer Rivera stated the speed limit is a separate issue from the all-way stop. Staff is not prepared tonight to recommend an all-way stop. If the Commission were to go that route, there had to be a resolution of findings. A request for an all-way stop at this location can be scheduled for a future date.

Commissioner Perrett agreed with previous comments. In regards to the speed limit he thinks it was a necessary evil to raise the speed limit to get enforcement. He agreed with a future study for an all-way stop.

Commissioner Navarro agreed with raising the speed limit and a possible all way stop.

Commissioner Moriarty wanted to clarify to the public that the item (all-way stop) is being continued because there needs to be another study.

Chair Liken agreed with staff's recommendation and had a few comments. He stated he was a Chula Vista motorcycle officer who worked traffic enforcement for a number of years, was familiar with this street and understood how difficult it was to go court and defend the citation. He also recalled the speeding problems on Rutgers between East H and Otay Lakes Road - speed limits were challenged and tickets thrown out. In this case, the Commission recommended increasing the speed limit to 35 mph. The item went to Council and Council voted to keep the speed limit at 25 mph. Ultimately, the residents did not want the speed limit increased and agreed to no traffic enforcement.

Chair Liken explained there is an appeal process if an item goes to Council for approval. He stated that an item will be referred to staff for request for an all-way stop at this location. All residents who spoke at the public hearing will be notified and signs will be posted.

Officer Thurman stated if the speed limit is not revised, it didn't mean there would be no Police enforcement. Officers would still write citations for various equipment violations, but there would be no lidar and speeding tickets written up because they will not hold up in court. He reiterated the importance of revising the speed limit.

Commission Caudillo stated that he agreed with staff's recommendation and would also support a study for an all way stop.

MSC (Perrett/Moriarty) to concur with staff recommendation.

AMENDED MOTION to concur with staff recommendation and return with an all way stop study for intersection of Hidden Vista/Smokey Circle, Hidden Vista/Sanibelle, and Hidden Vista/Windjammer.

MOTION PASSED, 6-0-1, Rosario absent.

Item 8, taken out of order.

8. Report on request for an all-way stop at the intersection of Cuyamaca Avenue and Emerson Street

Senior Civil Engineer Newton stated the report that was distributed to the Commission and posted on the website was updated and the changes will be noted during the presentation.

On November 20, 2007, staff received a telephone call from the Principal of St. Pius X Elementary School requesting the installation of an all-way stop at the intersection of Emerson Street and Cuyamaca Avenue. St Pius X staff felt that the intersection was unsafe for pedestrians and motorists alike due to excessive vehicle speeds and sight distance constraints along Cuyamaca Avenue.

Senior Civil Engineer Newton gave his presentation noting the numbers were incorrect in the "average daily traffic approaching only" column in the All Way Stop Warrant Study. New numbers should be 1,510 for Cuyamaca and 848 for Emerson. Points awarded in the original report were 40 and was revised to 41 points. Forty-five is the cutoff in the policy to install an all way stop.

Given the street and roadway characteristics described in this report, the intersection of Cuyamaca Avenue and Emerson Street received a score of 41 points out of a possible 100. A score of 45 points is required by the policy in order to "warrant" an all-way stop control. Therefore, in accordance with Council Policy 478-03 and based on: 1) the points awarded by the warrant study, 2) the lack of a significant accident history, and 3) the lack of evidence of a speeding problem, staff does not recommend the installation of all-way stop control at this intersection.

Staff Recommendation: That the Safety Commission deny the installation of all-way stop control at this intersection and recommend the following:

- Install crosswalk warning signs along Cuyamaca Avenue near its intersection with Emerson Street.
- Send a friendly letter to the owner of the property located on the northeast corner of the intersection reminding them to maintain the bushes that are planted within the City right-of-way of Emerson Street to a maximum height of 3 feet. These bushes could reduce the available sight distance along the northeast corner of this intersection without proper maintenance.

Public hearing opened.

The following person spoke against staff's recommendation:

1. Kimberlee Vitha, representing St. Pius X School - Main concern is for the safety of the students in the school.

Public hearing closed.

Commission Discussion: Chair Liken asked if one of the warrants receives maximum points, can the minimum warrants be waived and an all-way stop be installed? He asked if this was taken into consideration for staff's recommendation. Sr. Civil Engineer Newton stated yes, but with the recent determinations that were forwarded to Council for unwarranted stops, staff went with the strict adherence to the policy. Chair Liken responded the last two items that went to Council did not receive maximum points in any of the five categories. With this item, it would not be going against Council policy if the all-way stop was recommended.

Commissioner Perrett stated he saw no problems with installing an all-way stop. He agreed that it was confusing when approaching the intersections and supports the installation of an all-way stop.

Commissioner Moriarty stated she has visited the site and agreed that it was very chaotic. She also agreed with the installation of an all-way stop.

Commissioner Caudillo stated he visited the site and based on what he observed, he was in support of an all-way stop.

Chair Liken was in support of an all-way stop. He has visited the site many times and thought an all-way stop at this location was more the norm throughout the City due the proximity of the school. He would recommend an all-way stop based on the maximum points for one of the warrants and the church activity.

Principal Civil Engineer Rivera stated the motion should be made in the form of a resolution with specific reasons. If the recommendation goes against staff recommendation, the motion needs to be made in the form of a resolution. The City Engineer will make a recommendation to change the staff recommendation or the recommendation stays the same and the item goes to Council.

MSC (Liken/Perrett) to install an all-way stop at the intersection of Emerson Avenue and Cuyamaca Street based on: 1) public testimony received during the meeting; 2) accepting staff report; and 3) noting that one of criteria was met 100% (Case 2 of the Council Policy) even though the minimum was not achieved. (6-0-1, Rosario absent)

Chair Liken reminded Ms. Vitha if this item were to go Council; there should be as much support from the community as possible and encouraged public participation.

10. Report Responding to Safety Commission Request for Information Regarding Reported Collisions in the City of Chula Vista.

In response to a request made by Chair Liken, City staff has gathered the information regarding the various methods of reporting a collision, and statistics regarding the number of reports created utilizing each method:

Staff Recommendation: That the Safety Commission accept staff's report.

Traffic collisions that are reported to the City of Chula Vista Police Department (CVPD) are reported and documented using several methods, beginning with the very manner in which the collision is reported to the Police Department. Collisions can be reported directly to the CVPD by phone, online or in person at the Police Department front counter. Collisions being reported by phone, depending upon the timing of the phone call in relation to the time of the accident and the severity of the collision, may result in an officer being dispatched to the scene. In some cases, collisions are not reported to the CVPD when the parties involved amicably exchange pertinent information and resolve it themselves. As a result, City staff has no data available to make any educated guesses as to the number of accidents that go unreported.

Currently, the information collected through counter reports, online, and phone reports, is not input into the Traffic Engineering accident database.

Of the 3,335 collision calls to the CVPD in 2007, 2,179 are ultimately incorporated into the Traffic Engineering accident database. This accounts for 65% of all reported collisions. However, it is important to note that of the 3,335 calls, 684 resulted in no written documentation, with an additional 59 reported collisions being either cancelled or unfounded. Of the 3,335 calls to the CVPD, 77% (2,592) resulted in a written record, of which 84% will be included in the Traffic Engineering accident database.

Chair Liken accepted the report into record.

11. Traffic Engineering CIP Project Update

Sr. Civil Engineer Newton stated that the Safe Routes to School Grant for Castle Park Elementary School was not awarded to the City. The CIP to install traffic signal at Oxford/Hilltop will proceed and the design is underway. The traffic signal at Fourth and Main/Beyer is still under design and will begin construction in approximately 3 months. The traffic signal at Brandywine/Sequoia is currently under construction. The crosswalk at Harborside Elementary - median and improvements are installed and they're still waiting for the flashing lights.

11. Traffic Accident Summary

Police Officer Shon Thurman formally introduced himself and gave a brief work history. He has replaced Officer Mullen. There has been a significant change in number of accidents and tickets. Counter reports might increase due to online reporting, as well as hit and run counter reports.

Commissioner Cochrane asked about an accident at H and Hilltop. Officer Thurman will obtain the information. Commissioner Navarro asked how many traffic officers are in the Division. Officer Thurman answered eight, but would confirm the amount. He mentioned there were 810 hit and runs in a previous year. Commissioner Navarro stated that seemed very high for Chula Vista and asked why that is the case. Officer Thurman answered he believed it was the proximity to the border.

12. Action Summary Update

Sr. Civil Engineer Newton had a very brief slide presentation of the projects.

13. Potential Upcoming Safety Commission Agenda Items

- Speed limit on Woods Drive.
- All way stop at Hidden Vista Drive
- Annual report.

OTHER BUSINESS

14. Commissioner Comments

Commissioner Cochrane asked about the basketball hoop policy and why there are no monetary repercussions for violators. He asked if there was anything in the works for citations to go to Code Enforcement. Senior Civil Engineer Newton stated that Code Enforcement is currently updating some policies. Chair Liken asked that Sr. Civil Engineer Newton work directly with Commissioner Cochrane on the results.

17. Staff Comments

Sr. Civil Engineer Newton stated we received a request from gentleman at Norman Park Center on the "White the Night" program. He was interested in a sponsorship to encourage seniors to wear white shirts and reflective arm bands while walking at night. The gentleman wanted to do a brief presentation at a future Safety Commission meeting. Commissioner Moriarty thought it would be a great idea to have a "White the Night" presentation.

Discussion ensued regarding the Safety Commission and the Public Safety Committee. Principal Civil Engineer Rivera explained the establishment of the Public Safety Committee approximately 2 yrs. ago. Council was desirous of a committee that dealt with safety issues in general. He stated the Safety Commission deals with matters of public safety, but generally, the issues are within the public right-of-way, with most of them dealing with traffic. Commissioner Moriarty wanted clarification as to why this other committee was established. She has attended some of their meetings and the issues seem to be the same and should be heard by the Safety Commission. She was concerned that the two were very similar. Chair Liken asked if there could be a joint meeting in the future to discuss some of the overlapping issues and communication between the committee/commission. Principal Civil Engineer stated he would follow up on this request.

Principal Civil Engineer Rivera stated that due to budget constraints, City staff was asked to look at changes to their Commission meeting times or if any revisions should be made. Chair Liken responded that it might be a good idea. Commissioner Moriarty responded she likes the way it is set up now. Chair Liken stated that maybe a joint meeting with the Public Safety Committee once a year could be added. Commissioner Navarro asked if we were limited to discussing traffic issues. Commissioner Cochrane responded no, the Safety Commission was for all safety concerns. Commissioner Navarro stated there were more than traffic issues, but other safety issues. Commissioner Perrett stated that a City attorney attended one of the Safety Commission meetings a couple of years ago, what happened? Senior Civil

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Engineer Newton stated it was still in the works. Commissioner Navarro supported having the joint meeting with the Public Safety Committee to discuss some of these issues and possibly having just one committee. Commissioner Moriarty agreed that would be very useful and meet budgetary concerns. She added that the Public Safety Committee is comprised of two Council members and lots of City staff.

ADJOURNMENT AT 8:12 P.M. to the next scheduled meeting of June 12, 2008.

Respectfully submitted,

Florence Picardal, Recording Secretary

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